

1885-036 Chancery Causes: B. M. Morgan & Co } for & vs. Jeremiah Harber & Co
Lee Co.

Morgan, Baylor, Fulkerson, Daugherty

CA - Debt
T - Property

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Virginia

Humbly complaining your Orators B. M. Morgan
Charles E. Baylor and Henry J. Morgan late Merchants
and partners in trade under the firm name of B. M. M
organ & Co. who sue for the benefit of said B. M. Morgan
would respectfully show unto your Honor that one Jerem-
iah Harber is justly indebted to them in the sum
of Thirty Seven dollars and Eighty five cents, To show
which your Orators state that on the 20th day of March
1874 the said Jeremiah Harber executed to your Orators
his bond under seal dated as aforesaid and hereinto filed
Masked (A) by which he promised to pay B. M. Morgan
& Co or order one day after date the sum of \$27.40 for
Value received, being a part of the sum above mentioned
And on the 14th day of July 1875. the said Jeremiah Harber
executed to your Orators his second bond under seal, ^{dated as aforesaid} which
is herewith filed Masked (B) by which he promised to
pay to B. M. Morgan & Co, One day after the date thereof
the sum of \$10.45 for Value received, being the residue of
the sum first above mentioned And as to each of said bonds
the said Harber waived the benefit of his homestead exemption

Your Orators further state that said Harber on the 6th day of January 1875 paid to them the sum of \$5.20 which is credited on the back of the bond first herein mentioned and subject to this credit, the balance of said two bonds is now justly due and owing to your Orators, no other or further part thereof having been paid thereon by said Harber or any one else.

At the time said two bonds were so executed the said Harber was a citizen and resident of Lee County Virginia but since that time he has removed to the State of Kentucky and he is now a citizen and resident of that State, and has been such for the last two or three years.

Your Orators further state that since said Harber removed to the State of Kentucky his Uncle, one Charles Daugherty lately departed this life intestate and without issue leaving a valuable real and personal estate situated in said County of Lee, One fourteenth part of which descended to the said Jeremiah Harber, and is now owned by him as one of the heirs at law of said Charles Daugherty dead; Soon after the death of said Daugherty one S. D. Fulkerson was appointed executor of his estate, and as such large sums of money went into his hands, One fourteenth of which

after the payment of debts liabilities and charges, is, or will become due the said Jeremiah Harber

Your Orators are advised that one fourteenth part of said real and personal estate so inherited by said Harber is liable by a court of equity to be taken and applied to the payment of your Orators claim & to attain that end is the object of this Suit.

Your Orators therefore pray that said Jeremiah Harber and L. D. Fulkerson be made defendants to this bill and required to answer the same fully on Oath that said L. D. Fulkerson answer and say how much money he has in his hands which is or will become due to the said Jeremiah Harber. That process of foreign attachment be issued and served on said real and personal estate so as to hold the said estate subject to the future order of the court. That order of publication be made posted and published against said Jeremiah Harber. And upon a final hearing of the cause that a decree be rendered in favor of your Orators against said Harber for said sum of \$37.85 with legal interest on \$27.40 part thereof from the 21st day of March 1874 and

B M Morgan to for
 cc. 3 Bice & foreign Att

Jas. H. H. H. H. H.
 1883, Sept. 25th Bill Filed
 " Oct. 1st Sp. & Publi.
 " Nov. 1st C. P. completed.
 " C. case set for hearing
 " Nov. term continued.
 1884, Mr. Decree & Court
 " Aug. Decree & Court
 1885 Decree & Court

to \$6.00 to Mr. 1884
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 70673882

To the Hon John A. Kelly Judge of
the Circuit Court of Lee County Va

The separate answer and demurrer
of Jeremiah Barber to a bill
filed in this Hon. Court against him
by B. M. Morgan and others -

Respondent does not deny the debt
sued on against him, but he claims
some credit on several of the debts
and submits that these causes should
be consolidated and your ~~order~~ re-
spondent not subjected to such
heavy costs for such small
amounts. He therefore prays that
said causes be consolidated and
only one set of costs decreed against
him - He further represents that he is a
poor man a blacksmith by trade that
the land is favorably located for such
a trade, and the amt due him
1/4 is as much as he needs for
his use & purpose, and that it greatly
derives by him for a home & shop
He more over represents that his
interest in the personal estate
will pay or nearly so all that
he owes and save him land - Besides
no harm can be done by this

share being laid off to him
as all the others have sold except
3 and they desire a sale - and therefore
no loss can fall upon any
one - Your respondent further rep-
resents that he is homeless and
needs the cash and, could not with
the money situate himself as well
And having now fully answered
he prays to be dismissed with
his costs.

A. L. Pridmore
for deft.

P.
Jeremiah Herber

ad. L. Answer

B. M. Morgan

To the Hon. John A. Kelly Judge of the Circuit
Court of Lee County Virginia:

The Answer of L. D. Fulkerson to a bill filed
in this honorable court against him and Jeremiah Harber
by B. M. Morgan & Co who sue for said B. M. Morgan

Respondent says that he supposes it is true that
his co-deft Harber is one of the heirs at law of Charles
Daugherty dead. And he supposes it is also true that
said Harber is and will be entitled to one fourteenth part
of one half of the personal estate of said Daugherty after
the payment of debts liabilities and charges but as to
how much if any thing may be due said Harber this
respondent cannot now state.

Respondent says he is executor of said Daugherty's estate
and as such has received some ~~Five~~ ^{Two} thousand dollars
and in all probability may receive something further
but how much he cannot now state. He is informed
however that the legatees under the will of Polly Daugherty
late widow of said Charles, are entitled to one half of
the net personal estate of said Daugherty.

Respondent further says that Chas. Daugherty during his
life was admr. of the estate of John M. Beatty dead
and died before making a final settlement of the matters of that
estate, and that said Beatty's heirs have assented.

brought suit for the settlement of the matters of that estate, and in this suit are claiming a considerable sum. But as to whether they are entitled to recover or not this respondent does not know. But respondent is advised that until these matters are all settled, he cannot safely say that he has anything in his hands due his co-deft Harber. And yet he is of opinion that upon a final settlement of said Daugherty's ^{estate} personal _^ something may be due said Harber.

Respondent further says that said Harber has already drawn two orders upon him, One in favor of T. M. Bales and one in favor of Chas. E. Bayles, which will amount in the aggregate to \$50.00 or \$100 which is an appropriation to that extent of his interest in said personal estate.

Respondent is willing to pay any thing in his hands due said Harber to whomsoever you honor may direct so soon as the same can be ascertained.

Respondent having now answered as fully as deemed material prays to be hence dismissed:

L. D. Fulkerson
counselor

B.D. Fickerson Curator

Ans } Answer

B. M. Morgan & Co. for r.

Filed Aug. 1884

J. A. Hyatt
clerk

B. M. Morgan & Co. for vs.	Plff	} In Chy.
vs.		
Jeremiah Harber et al	Defts.	
Harvey M. Hall	Plff	} In Chy.
vs.		
The Same	Defts.	
John D. Morgan	Plff	} In Chy.
vs.		
The Same	Defts.	

These causes came on again to be heard on the papers formerly read in each, and a written statement in the first of said causes filed, made by Henry J. Morgan as counsel for each of said plaintiffs was argued by counsel. And it appearing from said written statement filed in said first cause marked (A & B) that since the last term of the court that the deft Harber had sold the land attached in the causes, and had procured the purchaser Chas. E. Bayler to settle and adjust the debt and costs, due said three plaintiffs respectively in a manner satisfactory to them. It is therefore adjudged ordered and decreed that said parties be hence dismissed and said three causes stricken from the docket.

B. M. Morgan & Co for
H. M. Hull &
John D. Morgan

no. 3 Decennial

Jeremiah Harber
March Term 1885
Entered page 418
J. A. Hyatt C.

Entered this
Nov. 25 1884
J. A. K.

Arthur Harker & al	Plff	} In Chy
vs		
Jeremiah Harker & al	Defts	
B M Morgan & Co for &	Plff	} In Chy
vs.		
Jeremiah Harker & al	Defts	
Harvey M. Hall	Plff	} In Chy
vs.		
Jeremiah Harker & al	Defts	
John D. Morgan	Plff	} In Chy
vs.		
Jeremiah Harker & al	Defts	
Joseph W. Bales apud for	Plff	} In Chy
vs.		
Jeremiah Harker & al	Defts	

The said Jeremiah Harker will take notice that
 at the ^{Ston House of Charles E. Bayler in} ~~the clerk's office of the circuit court of Lee County~~ ^{on}
 on the ^{23rd} ~~23rd~~ day of Augt 1884. the plaintiffs in the
 above styled causes now pending in the circuit
 court of Lee County. will proceed to take the deposition
 of Charles E. Bayler and L.D. Fulkerson ^{attorneys} which when
 taken is intended to be read as evidence in the
 above styled causes ^{on the part of the said plaintiffs} which are to be heard as one
 cause as against the said Jeremiah Harker

For their Harker & al
 B M Morgan & Co for
 H M Hall

John D. Morgan

Joseph W. Bales apud for

By Henry J Morgan

Augt 26th 1884.

13 Mr Morgan & Co for v. others

vs. $\frac{1}{2}$ Notice - Augt 23/84.

Jessiah Harber

I do swear that on the 22nd day
of Augt 1884, I delivered to the ^{Sheriff} ~~copy~~
of Jessiah Harber also being a white
person ~~over the~~ ^{over the} ~~age of~~ ^{age of} ~~age~~ and said
Harber not being at his usual
place of abode, a copy of this
within notice

J. M. Morgan

Sworn to before me this 26 day Augt 1884

H. J. Morgan Bond.

B. M. Morgan & Co. for.	vs.	Jeremiah Harbert & al	In Chy
Harvey M. Hall	vs.	Same	" "
John D. Morgan	vs.	Same	" "
Joseph W. Bales agent for.	vs.	Same	" "
Arthur Harbert & al	vs.	Same	" "

The deposition of Charles E. Baylot and L. D. Fulkerson taken at the store house of said Baylot pursuant to notice on the 23rd day of Augt 1884 which are intended to be read as evidence on the part of the plaintiffs in the above styled causes now pending in the circuit court of Lee County Va.

The said Charles E. Baylot a witness of lawful age being duly sworn deposes and says

Witness,
Claims
our day.

I am the Surviving Partner of the late firm of Dargyherly and Baylon and as such since the death of said Dargyherly I have ^{collected} ~~collected~~ in one way and another of the assets of said firm about the sum of \$11,000 as near as I can now estimate the same and of said sum so collected I have paid over to L D Fulkerson as ^{curator} ~~admirer~~ of said Dargyherly estate the sum of about \$5,000. There is yet due to said firm a considerable amount of debts on a great number of ~~persons~~ ^{persons} consisting of Judgments bonds accounts and but I cannot now say how much I may here after realize on these claims

and this of course will depend on the
solvency of the persons owing said claims
but my best estimate now is that I will
not in all probability realize more than
~~some~~ \$1000, or may be \$1100. The estate
of said Daugherty or his curator on
a settlement of the matters of said firm
will be entitled to one half its net
proceeds be they much or little

Jeremiah Harber has given me
an order to L. D. Fulkerson Curator
of Chas Daugherty Dec for a note in
my hands due H. Baylon & Bro for
about \$25.00 which order has been
accepted by the said L. D. Fulkerson
Curator

And further this witness saith not

Chas. D. Baylon

Not Lee County Court

I J. M. Woodward a Justice of the Peace
for Lee County Virginia do
certify that the foregoing deposition
of Chas D Baylon was taken
and acknowledged before
me on the day and place
specified in the annexed

notice given under my
hand This 2nd day of Aug
1884

J. W. Woodward Jr.

Justice Fee 75¢

B. M. Morgan *ral*

as } Deposition

Isaac H. H. H. *ral*

Filed Aug. 26 1884

J. A. Hyatt
cl

B. M. Morgan & Co for +.	vs.	Jeremiah Harker & Co	In Chy
H. M. Hall	vs.	Same	" "
John D. Morgan	vs.	Same	" "
Joseph W. Bales for +.	vs.	Same	" "

The deposition of Charles E. Baylort & taken pursuant to notice at the clerks office of the Circuit Court of Lee County on the 15th day of August 1884 which are returned to be read as evidence on the part of the plaintiffs in the above styled causes now pending in the Circuit Court of Lee County. Va.

No witness appearing on this day the taking of said depositions is adjourned until Monday the 18th Inst at the same place and I certify that Jeremiah Harker attended before me on this day. Augt 15 1884.

J. A. G. Hyatt Clerk

No witness appearing on this day, the further of depositions in this cause is adjourned until the 25th day of August 1884.

J. A. G. Hyatt Court
Aug. 18th 1884.

Pursuant to adjournment.
L. D. Fulkerson a witness of lawful age being presented and first being duly sworn deposes and says -

I am Curator of the Estate of the late Charles Daugherty dec'd, and soon after I was appointed as such, I sold the personal property

of the said Daugherty, liable to be sold, and returned to the Clerk's office of Lee County, a list of the sales so made by me, but the aggregate of these sales, I do not now remember, but do not think it will exceed some \$519.⁰⁰ or \$520.⁰⁰ but my said sale bill will show the correct sum in the aggregate.

Since I have been acting as Curator of said Estate Charles E. Baylor survivor of the late firm of Daugherty & Baylor has paid me about the sum of \$4500.⁰⁰ or \$5000 towards said Daugherty's share of the assets of said firm and as to how much more - I may hereafter receive of said assets, I cannot now state & have no means of forming a probable estimate.

The defendant Jeremiah Harber has drawn orders on me as such Curator in favor of R. M. Bales & J. H. Baylor & Bro directing me to pay out of his share of the personal estate in my hands said two claims, and these when calculated down to the present, will amount in the aggregate to about the sum of \$100, including cost that may have accrued in favor of Bales vs said Harber. I can not now state how much

personal Estate will remain in my hands for distribution, after the payments of Costs of administering, funeral expenses and the debts and demands against said Daugherty's estate, and of course the amount will depend to some extent on the amount of debts for which the estate may be held liable, and to some extent upon the amount Mr. Bayler may be hereafter collected of the assets of said firm of Daugherty & Bayler. I am very well acquainted with the land owned by Charles Daugherty at his death and of opinion that the interest of all the infant defendants interested therein would be promoted by the sale of the entire Tracts in a body together, and it seems to me that all interests would be promoted by such a sale.

L. D. Fulkerson

The foregoing deposition of L. D. Fulkerson was taken, subscribed and sworn to before me by L. D. Fulkerson on the 20th Aug. 1884.

J. Alstyatt Clerk

B. M. Morgaw & others
vs L. G. Fulkerson
Jeremiah Harberts

Taken before me
as Court & filed Aug.
26 1884. J. A. Hyatt
Clerk

B. M. Morgan & Co. for &c. Peff
vs. } In Chy. Circuit
Jeremiah Harber & al Defts. Bart. Lee County &c.

I B. M. Morgan the beneficial plaintiff in the above
styled suit now pending in the Circuit Court of Lee
County, do swear that in said suit the Peffs for my benefit
ought to recover against said Jeremiah Harber the sum
of \$37.85 with interest on \$27.40 from 21st day of March 1874
and on \$10.45 the residue thereof from the 15th day of July
1875. till paid, subject to a credit of \$5.20 paid Jan 6-1875;
that the Peffs have present cause of action against said
Jeremiah ^{Harber} thereof, that said Harber is a non resident
of the state of Virginia And that he ^{owns and} has real estate
in Lee Co &c. and has
and money due him in the county aforesaid, so help me
god.

Sworn to before me by B. M. Morgan the 22nd Sep 1885
Peter Bays J, P

B. M. Morgan vs
vs { Aff. for Attachment
Jeremiah Harber vs

B. M. Morgan & Co for &c.	Plff	} In Chy
vs.		
Jeremiah Harbor &c	Defts	
Harvey M. Hall	Plff	} In Chy.
vs.		
The same	Defts	
John D. Morgan	Plff	} In Chy
vs.		
The same	Defts	

To the Hon John A. Kelly Judge of the Circuit Court of Lee County Virginia:

Since the last term of your Honor's court, the ^{in the above three causes -} ~~defts~~ Jeremiah Harbor, has sold and conveyed his undivided interest in the Daugherty land (being the land attached in said three causes) to Mr Charles E. Bayler. And Mr Bayler having assumed the payment of the debt and cost decreed each of said plaintiffs in said three causes as decreed them on the 29th day of Augt 1884. And Mr Bayler having executed his bond for the same, which is satisfactory to each of said plaintiffs, the object in each said suit has in this way been attained: Said three suits may therefore be stricken from the docket.

Benny J. Morgan attorney for
each of said three Plaintiffs
Nov. 1884

B. M. Morgan vs for
Harvey W. Hall &
John D. Morgan

vs. } statement of counsel
}

Jeremiah Harber vs

(AB)

A List of personal property belonging to
the estate of Chas. Daugherty dec'd and
sold at public sale Nov. 25th 1882 and
a credit of 12 months by L. D. Fulkerson
Curator of said Chas. Daugherty's Est

1	Gray Horse	H. W. Edmonson	\$30.00
1	Red Heifer	J. W. Woodward	12.10
1	" Cow	W. W. Bates	17.25
1	Bone " Calf	W. W. Bates	36.60
1	" Heifer	J. W. Woodward	16.10
1	White Bull	J. W. Woodward	27.00
1	Hay Stack	A. R. Surgenor	10.00
1	Hay "	L. D. Fulkerson	14.75
1	Hay "	A. R. Surgenor	12.25
1	Hay "	H. A. Olinphrey	8.50
1	Hay "	O. B. Beatty	8.25
1	Hay "	Wm Martin	9.00
1	Press	A. P. Witt	8.75
1	Table	Wm. Scrubb	2.05
1	Buggy	Ed. Pace	15.50
4	Hay	Mrs. Daugherty 5¢ each	20.00
15	Bush Wheat	Wm Martin \$1.10.	16.50
10	" "	Peter Seale \$1.02	10.20
15	" "	Ed. Bryer 72 ¹ / ₂ ¢	10.87
83	" "	Ed. Bryer 70	5.83
50	Bush Corn	Mrs. Daugherty 25 ⁰	12.50
100	" "	A. R. Surgenor 50 ⁰	50.00
50	" "	A. R. Surgenor 53 ⁰	26.50
50	" "	A. R. Surgenor 53 ⁰	26.50
100	" "	L. H. C. Fulkerson 55 ⁰	55.00
1	Book Case	Mrs. Daugherty	5.00
	Am't forward		\$467.00

Amount brought forward			\$467.00
1	Ward robe	Mrs Daugherty	5.00
1	Bureau	Mrs Daugherty	3.00
10	Bee Stands	Mrs. Daugherty	15.00
1	Red Cow	Same	20.00
1	Roan Calf	Same	4.00
1	Shot Gun	Same	3.00
			\$46.00

L. Q. Fulkerson
Curator

A Copy - Lest

J. A. Wyatt
clrk

Cash Bill
of Chas. Daugherty recd

Filed Aug. 23, 1884

J. A. Wyatt Co

B. M. Morgan vs.	Jeremiah Harber sub.	In by		
H. M. Hall vs.	Same	" "		
John D. Morgan vs.	Same	" "		
The following statement shows the debt and costs in the above three cases calculated down to Sep 1-1884.				
Bal on \$27.40 note due B. M. Morgan & Co (after credit thereon)		37	07	
Note \$10.45 due same date from July 14. 1875		16	15	
Add for costs of suit to March Term 1884.		27	08	80 30
<hr/>				
H. M. Hall paid due Jan 1-1877.		50	00	
Interest on Same to Sep 1-1884.		23	00	
Add for costs of suit to March Term 1884.		27	04	100 04
<hr/>				
John D. Morgan's note due Dec. 3 rd 1882.		45	75	
Interest on Same to Sep 1-1884.		4	77.	
Add for costs of Suit to March 1884.		27	08	77 60
<hr/>				
Judgt of Justice of peace herewith filed J. P. Schoham vs.				
Jeremiah Harber due Feb 12 th 1875 for		12	00	
add for costs of suit &c.		1	00	
Interest on same to Sep 1-1884.		6	88	19 88
<hr/>				
Total due on said four claims to Sep 1-1884.				277 82

The claims stated above amount in the aggregate as I verily believe to said sum of \$277.82 And in addition to these the said Jeremiah Harber owes the late firm of Ayers & Morgan one thousandth part of a lawyers fee of \$600.00 for which no suit has been brought, and which is a lien on the land, as will be seen by reference to two papers

herewith filed marked A+B. And Moreover said Harber owes 1/3 part
of the court costs in defending the suit of Polly Daugherty, and a like
part of the costs of a suit for a partition or sale of the Daugherty land
still pending in court

In addition to these there is the case of Joseph W. Bales against
the against said Harber in which the plaintiff seeks to recover about
\$150.00 cash lent from Jan 1873 to 1874, and in this suit the real estate
of the debt has been attached. But this suit will be defended as I am
informed, and of course I cannot say or even guess what the result
may be.

Harry J. Morgan

Aug 21st 1884.

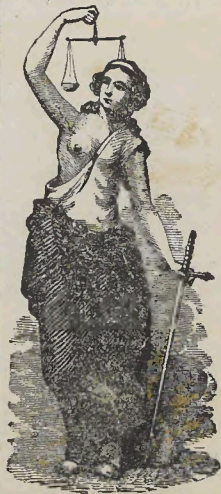
Statement of debts and claims

125.

Jerome Harbor - - -

Filed Aug 26 1884

J A S Hyatt & Co



\$ 275

March 30th

1874

One day after date, I promise to pay to
B M Morgan & Co or order, Twenty & 40/100

Dollars for value received, and I hereby waive, as to this
debt, the exemption from liability of the property which I may be entitled to hold ex-
empt under the provisions of the HOMESTEAD LAW. Witness my hand and Seal.

No.

Jeremiah Harker L. S.

L. S.

1845

Item to Crhy cash
\$5.20

(4)



\$11.45

July 14

1875-

One day after date, I promise to pay to
B M Morgante or order, *Five + 45¢*

Dollars for value received, and I hereby waive, as to this
debt, the exemption from liability of the property which I may be entitled to hold ex-
empt under the provisions of the HOMESTEAD LAW. Witness *my* hand and Seal.

No

Jeremiah Barker L. S.

L. S.

(B)

Receipt of the Association of the HOMEOWNERS' LEAGUE: I hereby
acknowledge the receipt of the sum of \$100.00 from the Association of the
Homeowners' League, for the purpose of the purchase of the property of the
Homeowners' League, and I hereby certify that the same has been
received and is being used for the purpose of the purchase of the property of the
Homeowners' League.

Witness my hand and seal this 1st day of May 1913.

1913

Peff

MS.

Mary F. Edmonson tal

D. fto

In clay. biscuit crust

Lee County Va.

Samuel B. Harber ²⁰ (seal)

Polly ^{her} X Harbor Seal

Wallis J. Barber Paul

William D. ^{his} Nathaniel Jehu ^{more} Green.

^{Lie}
Henry M. Warner
^{Mary}

Chas^r L^d Harker.

Das ^{his} B~~X~~ Bergsin
mark

Hannah & Harriet

Arthur's Harbor

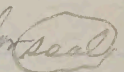
Samuel P. Harber tel

To { Obligation

Ayers + Morgan

(A)

Whereas the Heirs of Elias Harber have employed Byers
& Morgan to defend the suit brought by Polly Daugherty
to establish the will of Elias Daugherty dead & for their services
have agreed to pay them an absolute fee of one hundred ^{dollars} ₂
and a contingent fee of five hundred dollars and have
assigned them so much of the real and personal estate
as may be obtained from said estate as will be necessary
to pay said two Sums. I Jeremiah Harber one of the
heirs of Elias Harber dead do by these presents ^{& several} agree jointly
with the other heirs of said Harber to pay said two Sums
and to make the said assignment along with them
Witness my hand & seal this 8th day of Oct 1882

Jeremiah Harber 

Jeremiah Husher

To { Obligation

Ayers & Morgan

(B)

Know all men by these presents that we John
P. Graham and Henry J. Morgan are held and
firmly bound unto Jeremiah Harber in the sum of
Twenty five dollars for the payment thereof well
and truly to be made to said Harber we bind our
selves jointly and severally firmly by these pres-
ents. Witness our hands and seals this ^{19th day Jan 1884} ~~20th day Jan 1884~~

The condition of this bond is that the above bound
John P. Graham has obtained from H. C. Joslyn a justice
of the peace for Lee County Va. an attachment against
the ~~Estate~~ of said Jeremiah Harber for the sum
of \$12.00 with interest thereon from the 12th day
of Feb, 1875 till paid and has caused the same
to be levied on one undivided fourteenth part of the
real estate lately owned by Chas. Daugherty and as
the property of said Jeremiah Harber.

Now if said Graham shall well and truly pay
all such damages as may be sustained by said
Harber or any one else by the serving out of the said
attachment, then this bond to be void otherwise
to remain in full force. John P. Graham
(seal)

Henry J. Morgan (seal)

John P. Graham

To { attachment bond

Jeremiah Harker

Jerry Harbor

\$ 12.00 One day after date I promise to pay John P.
Graham Twelve Dollars and I hereby waive the benefit
of the Homestead act for value Received witness my
hand and seal this 11th day of February 1875

Jeremiah Harbor (seal)

Jerry Harbor

To Note \$12.00

or the within note
smith work \$1.87 1/2

Virginia Lee County Court:

To the Sheriff or any Constable of Lee County.

Whereas John P. Graham has this day made complaint and information on Oath before Henry C. Joslyn a Justice of the peace in and for the County and State aforesaid that one Jeremiah Harber is justly indebted to him in the sum of twelve dollars with legal interest thereon from the 12th day of February 1875 till paid that said sum became due and payable on the day last mentioned, that he has present cause of action against ^{said} Harber therefore, that said Harber is a non resident of the state of Virginia, and that he is the owner of real estate situated in said county of Lee and is also entitled ^{to} and owns personal estate in said county of Lee; These are therefore in the name of the commonwealth of Virginia to require you forthwith to attach the estate of the said Jeremiah Harber for the amount of the said claim, and such estate so attached in your hands you secure and have the same before me at Jonesville on the 19th day of Jan^y ~~Dec~~ 1883 when and where you will return this warrant and how you have executed the same Given under my hand this 19th day of Dec^r 1883.

H. C. Joslyn J. P.

S. 50
J.P. 50

At the Office of H.C. Jorlyn in Jonesville the 19th of Jan 1884.
John P. Graham Plff. } In debt on attachment
vs. }
Jeremiah Harber Dft.

Upon a hearing of this cause judgment is granted
the Plff against the defendant Harber for \$12.00 with legal
interest thereon from the 12th day of Feb. 1875. Till paid &
the costs which I ascertain to be \$1.⁰⁰ And the
Sheriff of the county who levied the attachment in this cause
is ordered to sell so much of the undivided interest of
the dft Harber in the tract of land lately owned by Charles
Dougherty dead which has been attached for the purpose
as will pay the above judgment and costs.

Given under my hand this 19th day of January 1884.

H.C. Jorlyn J.P.

John P. Graham

vs. } Attachment

Jeremiah Harber

On this 19th day of Jan 1884 I
have levied the attachment
on one undivided
fourth part of the real
estate owned by Chas. Dougherty
at his death as the property
of the dft. Jeremiah Harber
R. D. Flanagan J. P. C.

These returned Feb 12 1884

John R. Gibson clerk

Lis Pendens

B. M. Morgan & Co for &c. Peff. In lch - Circuit Court
vs. } See County on foreign
Jeremiah Harber & al Defts Attachment.

The style of this suit now pending in the Circuit Court of Lee County Va. is as here stated. The object is to recover for the benefit of B. M. Morgan against the deft. Jeremiah Harber who is a non resident the sum of \$37.85 with legal interest on \$27.40 from the 21st day of March 1874 and on \$10.45 the residue thereof from July 15 1875 till paid, subject to a credit of \$5.20 paid January 6th 1875. And to subject to the payment thereof one undivided fourteenth part of the real and personal estate lately owned by Charles Daugherty dead but now owned by the Deft. Jeremiah Harber which has been attached in said cause by Process of foreign attachment.

The real estate thus attached lies on both sides of the main road about 15 miles west of the court house and is $\frac{1}{14}$ of the farm on which said Daugherty lived at his death, and the personal estate attached is in the hands of S. D. Fulkerson curator of said Daugherty.

B. M. Morgan & Co for &c.
by H. J. Morgan

Virginia Lee County Court Clerk's Office October 3^d 1883

B. M. Morgan to wit

vs. { Lio Pendens

Jeremiah Harber et al

Recorded in Deed

Book No 20 P 289

J. A. Hyatt

Oct 3 1883

The foregoing Lio pendens against Jeremiah
Harber was this day filed in this
Office and admitted to record.
Deo J. A. Hyatt

Virginia

In the Clerk's Office of the Circuit Court
for Lee County at the Court House thereon
Tuesday the 25th day of September 1883.

B. M. Morgan & Co for &c
against

Plaintiffs

Jeremiah Harber et al

Defendants

In Chancery

The object of this suit is to recover
against the Defendant Jeremiah Harber the
sum of \$37.85, with interest on \$27.40 part thereof
from the 20th day of March 1874, and on \$10.45 the
residue thereof from the 14th day of July 1875,
and to subject to the payment thereof the
personal and Real Estate in the Bill and
proceedings mentioned, which has been
attached for that purpose; and it app-
earing from an affidavit filed in this
Cause that the defendant Jeremiah Harber
is a now-resident of this State: -
It is ordered that he appear herewithin
one month after due publication of
this order to do what may be nec-
essary to protect his interest in this
suit.

J. A. Hyatt Clerk

B. M. Morgan & Co for &c
vs Dred P. Pub.

Jeremiah Harber et al

I certify that I delivered to the Edw Leo
Co Sentinel an office
copy of within O.P.
for publication on
the 26th Sept 1883 &
posted a like copy
thereof on first day
of the Oct. County
Court at the front
door of the Court
House of Leu County.

J. A. St. Hyatt
Clerk

THE COMMONWEALTH OF VIRGINIA.

To The Sheriff Of Lee County Greeting :

We Command You to Summon

Jeremiah Harber
and *L. J. Fulkerson* Curator of *Charles*
Daugherty deceased.

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

October next being rule day to answer a bill in Chancery exhibited in our said Court against *them*

by *B. M. Morgan, Charles E. Baylor*
& *H. J. Morgan* late merchants & partners in
trade under the firm name of *B. M. Morgan & Co*
who sue for the benefit of *B. M. Morgan*

And have then there this writ. Witness *J. A. G. HYATT* Clerk of our said Court at the Courthouse

This *25th* day of *September* 188*3*, in the 10*8* year of the Commonwealth.

J. A. G. Hyatt

Clerk.

By virtue of the order of attachment herein enclosed, I have
this 29th day of Sep 1883 served the same on one underdied
further with part of the real estate lately owned by Charles
Daugherty dead, which now belongs to the left Jeremiah
Haskin. and I have further executed the same by delivering
a copy of this writ to the wife of Deft. L. D. Fulkerson, he not being
at his usual place of abode, and she being a white person over
16 years old, and I explained to her its nature & purpose.
Sep 29 - 1883.

S. H. Ewing Deputy for R. D. Fulkerson S. G. C.

Chd 136

(St. J. M.)
B. M. Morgan to
vs { Spa in Chcy
Jeremiah Harberst
Lo October Rules 1883

See return on
side -

The proper affidavit having been made the Officer
serving this process, is ordered to attach the
1/4 part of the real Estate, lately owned by
Charles Daugherty dead, as belonging to the
defendant 'Harberst', and also to attach
the personal Estate in the hands of the Deft.
Fulkerson Curator, due or to become
due the defendant Harberst to hold the
same subject to the future order of the Court
of the 14th day of Oct

Publisher's Certificate.

Jonesville, Va., Nov. 27th, 1883.

I. F. R. STICKLEY, *Publisher of the LEE COUNTY SENTINEL*,
a weekly newspaper published at Jonesville, Lee County, Virginia, do
certify that the annexed Chancery Order was published four successive
weeks in said newspaper, publication ending Nov 9, 1883.

I. F. R. Stickley, Publisher.

VIRGINIA.—In the Clerk's office of
the Circuit Court for Lee County at
the Court house thereof on Tuesday the
25th day of September 1883.

B. M. Morgan & Co for &c. plft. } In Ch'cy
against
Jeremiah Harber et al deft }

The object of this suit is to recover
against the defendant Jeremiah Harber
the sum of \$37.85, with interest on \$27.
40 part thereof from the 20th day of
March 1874, and on \$10.45 the residue
thereof from the 14th day of July 1875,
and to subject to the payment thereof
the personal and real Estate in the Bill
and proceedings mentioned, which has
been attached for that purpose; and it
appearing from an affidavit filed in this
cause that the Defendant Jeremiah Har-
ber is a non residence of this State:—It
is ordered that he appear here within one
month after due publication of this order
to do what may be necessary to protect
his interest in this suit.

A Copy Teste

H. J. Morgan P. Q. J. A. G. HYATT.

Clerk

*Published
for Lee
\$5.00*

B. M. Morgan & Co for
✓ Pubis
25. } Certificate
3
Jeremiah Harber et al

Pubis fee
\$5.00
